**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.27045 of 2006
**02.1.2007**

Between:

K.Sudhakar Reddy, S/o.Lakshma Reddy

And another

… Petitioners

AND

The District Registrar, Hyderabad

And others

… Respondents

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WRIT PETITION No.27045 of 2006

ORDER:

The petitioners statedly purchased house bearing No.1-1-256/A situated at Chikkadpally, Hyderabad from Dr.P.Sumanth Manohar for a valid consideration on 23.10.2006. It is alleged that after payment of necessary stamp duty and registration fee, sale deed was presented to the second respondent for registration. The second respondent except giving pending document No.P.744, refused to complete registration and release the document. The petitioners, aggrieved by the action of the second respondent, made representation dated 25.11.2006, in vain. Alleging that the action of the second respondent in not completing the registration and releasing the document placed before him as illegal and arbitrary, the present writ petition is filed.

Heard learned Counsel for the petitioners and learned Assistant Government Pleader for Revenue (General). It is no doubt true that when a document is presented, it is incumbent on the part of the Registering Officer to examine the same with reference to Sections 31 and 36 of the Registration Act, 1908 (the Act, for brevity) and/or Rules 26 and 58 of the Andhra Pradesh Rules under the Act. This aspect of the matter was considered by my learned brother Hon'ble Sri Justice A.Gopal Reddy in W.P.No.15199 of 2004 dated 01.9.2004.

Following the above, this writ petition is disposed of directing the second respondent or any other Registering Officer that the document allegedly submitted by the petitioners for registration may be accepted and considered for registration. Be it noted, if for any reason, the document presented is not registered, it is incumbent on the part of the Registering Officer to record and furnish reasons under Section 71 of the Act. If the petitioners are aggrieved by the order of the Registering Authority, it shall be open to them to file appeal under Section 72 of the Act before the District Registrar. If the District Registrar i.e., the Appellate Authority declines to give direction to the Registering Authority, the aggrieved persons have to file a suit under Section 77 of the Act.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO,J**)

January 02, 2007.

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